



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-41023-2025(O&M)
Date of Decision: 12.12.2025

HARMAN SINGH

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondents(s)

CORAM : HON'BLE MR. JUSTICE ALOK JAIN

Present : Ms. Rupinder Kaur Thind, Advocate for the petitioner.

Mr. Sahil Chowdhary, AAG, Punjab.

Mr. Vipin Mahajan, Senior Advocate with
Mr. Gaganbir Kaur Kahlon, Advocate for the complainant.

ALOK JAIN, J. (Oral)

1. The present petition has been *inter alia* filed praying for grant of regular bail to the petitioner in case FIR No.0074 dated 07.07.2021, under Sections 376DA, 451 of IPC, Section 6 of POCSO Act and (Section 4 of POCSO Act; added later), registered at Police Station Ghuman, District Batala.

2. Learned counsel for the petitioner submits that the entire allegations in the said FIR are wrong and concocted and rather the outburst of the FIR lodged by the petitioner's family against the father of the prosecutrix under Section 302 of IPC. In addition to above, learned counsel submits that the material witnesses have been examined and there are no allegations that prosecutrix had been violated by the petitioner. The petitioner's role as alleged is only that he has supported the main accused -



Jarman Singh for the commission of offence. Although, the petitioner vehemently opposed the said allegations also but the said issue has to be decided by the learned Trial Court.

3. Learned State counsel assisted by learned counsel for the complainant have vehemently opposed the grant of concession of bail on the ground that the main accused Jarman Singh is absconding and has been harboured by the petitioner. It is submitted that the petitioner has played an active and positive role in commission of offence and therefore, they do not deserve the concession of regular bail.

4. Learned State counsel has filed custody certificate and as per which, petitioner is in custody for last 07 month 09 days. Learned State counsel submits that material witnesses have already been examined and does not deny the fact that. The petitioner is a young boy of 25 years with no criminal antecedents.

5. Heard learned counsel for the parties at length and have gone through the record carefully.

6. In light of the above and considering the fact that petitioner is in custody for last 07 months 09 days and is a young boy of 25 years coupled with the facts that material witnesses have been examined and the trial is likely to take considerable time, therefore, no useful purpose would be served by keeping the petitioner in custody. Accordingly, the petitioner is held entitled to the concession of regular bail.

7. Without commenting upon the merits of the case, the present petition stands allowed and the petitioner is ordered to be released on bail, if



not required in any other case, on furnishing bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. The petitioner shall, however, be released on the following conditions:

- i The petitioner shall declare his ordinary place of residence and the mobile number used by him/her.
- ii The petitioner will not switch off his mobile and in case of any technical glitch, he/she has to give an alternate number, which will be available in his/her absence.
- iii The petitioner will mark his presence before the SHO concerned, after every 15 days and in case the SHO refuses to mark his presence, he is permitted to make an application before the Illaqa Magistrate, concerned.
- iv The petitioner will not leave the country without the prior permission of the Court, for which he will submit the copy of his passport also. However, in case the petitioner does not possess a passport, then he shall file an undertaking to the said effect before being released.

The petitioner shall abide by the terms and conditions as imposed in addition to Section 483 of BNSS, 2023.

8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and this order shall not be considered as parity qua any other co-accused in any manner whatsoever.

9. It is further made clear that, in case, the petitioner is found involved in any such activity once again, the State is at liberty to promptly



move an appropriate application for cancellation of bail detailing out the circumstances and violation of conditions of bail.

10. Pending application(s), if any, shall stand disposed of.

12.12.2025
Deepak Patwal

(ALOK JAIN)
JUDGE

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether reportable | Yes/No |